

REMARKS

This is in response to the Office Action dated February 22, 2010. In view of the foregoing amendments and following representations, reconsideration is respectfully requested.

By the above amendment, claims 8-9 are amended; and claims 13-16 are newly presented. Thus, claims 8-16 are currently pending in the present application. No new matter has been added.

1. Interview Summary

A telephone interview was conducted on May 13, 2010 with Examiner Kumar (see PTOL-413 mailed May 20, 2010. It was agreed that claim 8 would distinguish over the Yuyama reference if the structure forming the U-shaped tip portion were clearly defined as being formed at the ends of the brush element remote from the partitioning portion 14 of the partitioning member 13.

2. Rejection under 35 U.S.C. § 102(b)

On page 3 of the Office Action, claims 8-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yuyama (U.S. Patent No. 5,803,309).

Yuyama discloses a partitioning member 14 comprising a partitioning portion 15 formed from a plurality of elastic bristles 17 that are tilted in a downstream direction and project in a comb-like shape. However, the brush elements disclosed in the Yuyama reference are linear members none of which are connected at their ends to form a rounded tip portion.

In the rejection, the connection of the Yuyama elastic bristles at their fixed ends has been "broadly" interpreted as U-shaped tip portions. As shown in Fig. 3A, Fig. 4 and Fig. 6, the free

ends of the Yuyama elastic bristles are not connected. Accordingly, claim 8 has been amended to clearly recite that the ends of the brush element extend from the fixing portion and terminate in ends, and that the ends of adjacent brush elements are connected to form U-shaped tip portion. Thus, claim 8 clearly recites that the ends opposite the fixing portion form the tip portion. Thus, claim 8 clearly distinguishes over the applied Yuyama reference which clearly lacks two adjacent brush elements connected so as to have a U-shape providing a rounded tip portion as set forth in amended claim 8. Since the Yuyama reference does not meet each and every limitation of claim 8, this reference cannot anticipate claim 8 under 35 U.S.C. 102(b).

Independent claim 13 is similar to amended independent claim 9, but recites that:

the partitioning member fixed on a bottom outer surface of the table accommodating section, the partitioning member including a fixing portion and a partitioning portion having a plurality of linear elements having elasticity,

the partitioning portion projecting into the tablet accommodating section in the vicinity of the discharge position so as to partition the pocket at the discharge position and enter between upper tablets and a lower tablet so that the upper tablets are prevented from falling into a lower portion of the pocket, and thereby the tablets retained in the pockets of the tablet array member are discharged by a predetermined number,

wherein at least two adjacent linear elements, among the plurality of linear elements constituting the partitioning portion of the partitioning member, are connected at ends thereof that are remote from the fixing portion to form a U-shaped tip portion.

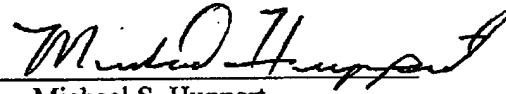
Thus, claim 13 requires that the U-shaped tip portion is located at the ends of the linear elements that are remote from the fixing portion. Thus, claim 13 clearly distinguishes over the partitioning member disclosed in the Yuyama reference. As discussed above, the ends of the elastic linear bristles, that are remote from the fixing portion, are not connected in any manner.

In view of the above, it is submitted that the present application is now clearly in condition for allowance. The Examiner therefore is requested to pass this case to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

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